

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES A. NESBITT

: CIVIL ACTION

v.

MICHAEL J. ASTRUE, Commissioner of the
Social Security Administration

: NO. 09-2376

ORDER

AND NOW, this *20th* day of *December*, 2010, upon

consideration of Plaintiff's Motion for Summary Judgment/Request for Review or, in the Alternative, Plaintiff's Motion for Remand, Defendant's response thereto, the record herein, and after review of the Report and Recommendation of the Honorable M. Faith Angell, United States Magistrate Judge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. Plaintiff's Motion for Summary Judgment/Request for Review or, in the Alternative, Plaintiff's Motion for Remand (Docket Entry No. 8) is **DENIED**.
3. **JUDGMENT IS ENTERED IN FAVOR OF DEFENDANT MICHAEL J. ASTRUE, COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION AND AGAINST PLAINTIFF CHARLES A. NESBITT.**
4. The Clerk of Court is directed to mark this case **CLOSED** for statistical purposes.

BY THE COURT:

C. DARNELL JONES, II,

J.